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From: stevefeaga

To: letters@nytimes.com

Sent: Mon, 9 Jul 2007 11:31 am

Subject: Fwd: Your Editorial on U.S. v. Siegelman

Sirs: I am re-sending my letter which I sent you on 7 July 2007. As requested in your automated email reply I am sending the contact info you require. I tried to shorten the letter down to 150 words. The large number of mistaken assertions in the editorial made that impossible. Sincerely Steve Feaga, Assistant United States Attorney, Middle District of Alabama

Sirs:

Your recent editorial about the prosecution of Don Siegelman contains several mistaken assertions about the case. I am writing to correct a few of them.

Siegelman received both personal and campaign funds in exchange for favorable discretionary actions as Governor. Five trial witnesses testified from first-hand knowledge to the existence of an express quid pro quo agreement between Siegelman and three people who paid Siegelman in exchange for official action. Two of these witnesses testified that they had personally made agreements with Siegelman and paid him money in exchange for a promise to perform official acts. The other three witnesses testified that they were told, either by Siegelman or the also-convicted bribe payor, of the existence of the agreements. In the instances when the money paid in exchange for the promise was a campaign contribution, the evidence at trial proved that Siegelman went to extraordinary lengths, including violating Alabama's Fair Campaign Practices Act

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disclosure requirements, to hide the contribution. Neither Siegelman nor his convicted co-defendant took the stand to deny any of these assertions.

The claim of Dana Jill Simpson that she participated in a telephone call allegedly establishing a White House connection to the case has been refuted publicly by all of the other alleged participants, including Terry Butts, a former justice of the Alabama Supreme Court and co-counsel for Siegelman's co-defendant at the trial. I have no way of knowing what occurred in Washington D.C., or elsewhere, when I was not present. What I do know is that no one pressured me, in any way, to pursue these charges.

The case of United States v. Siegelman was pursued and successfully prosecuted because my co-counsel and I, a grand jury, a trial jury, and a federal judge, after hearing the facts, believed that those facts established that Siegelman unlawfully sold out the best interests of the people of the State of Alabama. Any assertion to the contrary, regardless of how well or maliciously intended, is just plain wrong.

Sincerely,
Stephen P. Feaga
Assistant United States Attorney
Co-counsel in the prosecution of U.S. v. Siegelman, Scrushy, et. al.

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